

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2022 ND 120

State of North Dakota,

Plaintiff and Appellee

v.

Denver Lee Tergesen,

Defendant and Appellant

No. 20210309

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Douglas A. Bahr, Judge.

AFFIRMED.

Per Curiam.

Justin J. Schwarz, Assistant State's Attorney, Bismarck, ND for plaintiff and appellee.

James R. Loraas, Bismarck-Mandan Public Defender Office, Bismarck, ND for defendant and appellant.

State v. Tergesen
No. 20210309

Per Curiam.

[¶1] Denver Lee Tergesen appeals from the district court’s restitution order and amended criminal judgment, entered following his guilty plea and conviction for theft. On appeal, Tergesen argues the court erred by ordering him to pay \$65,739.95 in restitution, contending the court failed to expressly address the State’s burden of proof. Tergesen has cited no authority requiring the court to expressly state the burden of proof. We do not address arguments lacking citation to relevant legal authority. *See Abdi v. State*, 2021 ND 110, ¶ 18, 961 N.W.2d 303 (“[W]ithout supportive reasoning or citations to relevant authorities, an argument is without merit.”). Tergesen also asserts the restitution amount the victim requested was not supported by the evidence. We conclude the court acted within the limits set by statute, made findings meeting the preponderance of the evidence, and therefore did not abuse its discretion in ordering Tergesen to pay restitution. We summarily affirm under N.D.R.App.P. 35.1(a)(2) and (4).

[¶2] Jon J. Jensen, C.J.
Gerald W. VandeWalle
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte